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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,755	11/26/2003	Ariel Rudolph	CE11014J	7291

7590 12/19/2007  
Larry G. Brown  
Motorola, Inc.  
Law Department  
8000 West Sunrise Boulevard  
Fort Lauderdale, FL 33322

EXAMINER

OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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12/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/722,755	<b>Applicant(s)</b> RUDOLPH, ARIEL	
	<b>Examiner</b> Michael N. Opsasnick	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. This office action is responsive to Application No. 10/722,755 filed on 11/26/2003. Claims 1-16 are pending and have been examined.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 8 and 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Aoshima (US Patent 6,308,087).

**Claim 8.** Aoshima teaches, a method of providing a translational dictionary, comprising the steps of:

storing at least one translational dictionary in a memory of a communications device

**(Fig. 2 Translated word Data memory 17);**

receiving at a communications device a control signal from a network to allow the

communications device to synchronize to the network; **(Fig. 3, start receiving process S102, as**

**well as Fig 2 subblock 13, and Fig. 3 s104-s107, and col. 6 lines 14-42, synchronizing to a network)**

recognizing at least one target language from the receipt of the network signal; **(Fig. 3 Is information message in native language? Step 108, Also Steps 104, 105, 107 judge the target language)**

comparing the target language to a base language of the communications device **(Col. 7, lines 30-52; and**

accessing from the memory the translational dictionary (**Fig. 2 Translated word Data memory 17**) if the target language does not match the base language and if the translational dictionary corresponds to the target language. (**Fig. 2 Automatic translation Unit 16**)

**Claim 16.** Aoshima teaches, a communications device for providing a translational dictionary, comprising:

a memory for storing at least one translational dictionary; (**Fig. 2 Translated word Data memory 17**);

a transceiver for receiving a signal from a network(**Fig. 3 Start receiving process S102, for radio transmission**); and

a processor, wherein said processor is programmed to: recognize at least one target language from the receipt of the network signal (**Fig.3 "Is information message in native language?"Step 108, Also Steps 104, 105, 107 judge the target language**);

compare the target language to a base language of said communications device(**Col. 7, lines 30-52**); and

access from said memory the translational dictionary (**Fig. 2 Translated word Data memory 17**) if the target language does not match the base language and if the translational dictionary corresponds to the target language. (**Fig. 2 Automatic translation Unit 16**)

receiving at a communications device a control signal from a network to allow the communications device to synchronize to the network; (**Fig. 3, start receiving process S102, as well as Fig 2 subblock 13, and Fig. 3 s104-s107, and col. 6 lines 14-42, synchronizing to a network**)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1- 7 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoshima (US Patent 6,308,087) in view of Levin (US Patent 6,996,520)

**Claim 1.** Aoshima teaches, a method of providing a translational dictionary, comprising the steps of:

receiving at a communications device a control signal from a network to allow the communications device to synchronize to the network; (Fig. 3, start receiving process S102, as well as Fig 2 subblock 13, and Fig. 3 s104-s107, and col. 6 lines 14-42, synchronizing to a network)

recognizing at least one target language from the receipt of the network signal; (Fig.3 Is information message in native language? Step 108)

comparing the target language to a base language of the communications device (Col. 7, lines 30-52)

Aoshima does not explicitly teach “selectively transferring to the communications device a translational dictionary of the target language if the target language does not match the base language. “

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In the same field of endeavor, Levin teaches, **"If the user has not previously used or stored a dictionary, or if the previously used or stored dictionary is determined not to be appropriate as at step 136, the context of the inputted text is analyzed; as at step 138. Based on the contextual analysis of the text to be translated, the system of the present invention checks the dictionary database to determine whether there is an appropriate domain or sub-domain dictionary for the given core language pair and for the context determined to best suit the translation goal of the user, as at 140. If so, the dictionary is selected as at 142 and deployed as at 150, before the translated text is ultimately transferred as at 152 in accordance with the user's original request. Col. 14 lines 39-52)**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to selectively transfer to the communications device a translational dictionary of the target language if the target language does not match the base language as taught by Levin in the method of Aoshima because transferring only needed dictionaries to a communication device saves memory space and the ability to transfer new dictionaries to a communication device allows for a large array of translation dictionaries to exist for user advantage.

**Claim 2.** Aoshima and Levine teach, the method according to claim 1, Aoshima further discloses comprising the steps of: if the target language does not match the base language, **(Fig.3 Is information message in native language? Step 108)**

**Aoshima does not explicitly teach,"** notifying a user that the translational dictionary of the target language is available for transfer; and giving the user the option of accepting the

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transfer of the translational dictionary of the target language. In the same field of endeavor, Levin teaches, **"If the user has not previously used or stored a dictionary, or if the previously used or stored dictionary is determined not to be appropriate as at step 136, the context of the inputted text is analyzed, as at step 138. Based on the contextual analysis of the text to be translated, the system of the present invention checks the dictionary database to determine whether there is an appropriate domain or sub-domain dictionary for the given core language pair and for the context determined to best suit the translation goal of the user, as at 140. If so, the dictionary is selected as at 142 and deployed as at 150, before the translated text is ultimately transferred as at 152 in accordance with the user's original request. Col. 14 lines 39-52)**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to selectively transfer to the communications device a translational dictionary of the target language if the target language does not match the base language as taught by Levin in the method of Aoshima because transferring only needed dictionaries to a communication device saves memory space and the ability to transfer new dictionaries to a communication device allows for a large array of translation dictionaries to exist for user advantage.

**Claim 3.** Aoshima and Levine teaches the method according to claim 1, Aoshima further discloses, wherein the signal received from the network includes a Mobile Network Country Code and wherein said recognizing step further comprises recognizing the target language from the receipt of the Mobile Network Country Code in the network signal. **(The received message is not translated into the native language when it is judged that the native language is used**

**in the received message. The first step may be executed by comparing an area code and country code in the received message with an area code and country code held by the receiver. Col. 2 lines 52-58)**

**Claim 4.** Aoshima teaches the method according to claim 3, further comprising the step of (Fig.2 radio selective caller receiver 10) storing into memory at least one value associated with the Mobile Network Country Code (native language country code memory (fifth memory) 26) and at least one value associated with the base language (home country/ area code memory (fourth memory) 25) wherein the values associated with the Mobile Network Country Code identify target languages. (The received message is not translated into the native language when it is judged that the native language is used in the received message. The first step may be executed by comparing an area code and country code in the received message with an area code and country code held by the receiver. Col. 2 lines 52-58)

**Claim 5.** Aoshima and Levine teaches the method according to claim 1, Aoshima further discloses, wherein the target language is a primary language that is spoken in a first country and the base language is a primary language that is spoken in a second country, wherein the network is located in the first country. (Fig. 3 "Is transmission station received message local transmission station or non-local transmission station?" Step 105; Also Col. Col. 7 lines 1-9)

**Claim 6.** Aoshima and Levine teaches the method according to claim 1, Aoshima further discloses, further comprising the step of signaling the network from the communications device that the target language does not match the base language. (Fig. 3, If the language is in a non-

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**native language the message gets translated, but if the message is in the native language it gets displayed and receiving stops, network won't send)**

**Claim 7. Aoshima and Levine teaches, the method according to claim 1, but Aoshima does not explicitly, "wherein said selectively transferring step further comprises selectively transferring to the communications device a translational dictionary of the target language unless the translational dictionary of the target language has been previously transferred to the communications device."**

**In the same field of endeavor, Levine teaches, "If the user has not previously used or stored a dictionary, or if the previously used or stored dictionary is determined not to be appropriate as at step 136, the context of the inputted text is analyzed, as at step 138. Based on the contextual analysis of the text to be translated, the system of the present invention checks the dictionary database to determine whether there is an appropriate domain or sub-domain dictionary for the given core language pair and for the context determined to best suit the translation goal of the user, as at 140. If so, the dictionary is selected as at 142 and deployed as at 150, before the translated text is ultimately transferred as at 152 in accordance with the user's original request. Col. 14 lines 39-52)**

**Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to selectively transfer to the communications device a translational dictionary of the target language if the target language does not match the base language as taught by Levin in the method of Aoshima because transferring only needed dictionaries to a communication device saves memory space and the ability to transfer new dictionaries to a**

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communication device allows for a large array of translation dictionaries to exist for user advantage.

**Claim 9.** Aoshima teaches, a communications device that provides a translational dictionary, comprising:

a transceiver for receiving a signal from a network(Fig. 1 Internet);

and a processor, wherein said processor is programmed to:

recognize at least one target language from the receipt of the network signal(Fig.3 Is information message in native language? Step 108); and

compare the target language to a base language of said communications device; (Col. 7, lines 30-52;

Aoshima does not explicitly teach, “wherein the network selectively transfers to said communications device a translational dictionary of the target language if said processor determines that the target language does not match the base language.”

In the same field of endeavor, Levin teaches, “If the user has not previously used or stored a dictionary, or if the previously used or stored dictionary is determined not to be appropriate as at step 136, the context of the inputted text is analyzed, as at step 138. Based on the contextual analysis of the text to be translated, the system of the present invention checks the dictionary database to determine whether there is an appropriate domain or sub-domain dictionary for the given core language pair and for the context determined to best suit the translation goal of the user, as at 140. If so, the dictionary is selected as at 142

**and deployed as at 150, before the translated text is ultimately transferred as at 152 in accordance with the user's original request. Col. 14 lines 39-52)**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to selectively transfer to the communications device a translational dictionary of the target language if the target language does not match the base language as taught by Levin in the method of Aoshima because transferring only needed dictionaries to a communication device saves memory space and the ability to transfer new dictionaries to a communication device allows for a large array of translation dictionaries to exist for user advantage.

**Claim 10. Aoshima and Levine teach, the communications device according to claim 9, Aoshima further discloses "wherein if the target language does not match the base language, (Fig.3 Is information message in native language? Step 108)**

Aoshima does not explicitly teach" processor is further programmed to notify a user through a user interface that the translational dictionary of the target language is available for transfer and to give the user through a menu the option of accepting the transfer of the translational dictionary of the target language. "

In the same field of endeavor, Levin teaches, **"If the user has not previously used or stored a dictionary, or if the previously used or stored dictionary is determined not to be appropriate as at step 136, the context of the inputted text is analyzed, as at step 138. Based on the contextual analysis of the text to be translated, the system of the present invention checks the dictionary database to determine whether there is an appropriate domain or**

**sub-domain dictionary for the given core language pair and for the context determined to best suit the translation goal of the user, as at 140. If so, the dictionary is selected as at 142 and deployed as at 150, before the translated text is ultimately transferred as at 152 in accordance with the user's original request. Col. 14 lines 39-52)**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to selectively transfer to the communications device a translational dictionary of the target language if the target language does not match the base language as taught by Levin in the method of Aoshima because transferring only needed dictionaries to a communication device saves memory space and the ability to transfer new dictionaries to a communication device allows for a large array of translation dictionaries to exist for user advantage.

**Claim 11.** Aoshima and Levine teach the communications device according to claim 9, Aoshima further discloses, wherein the signal received from the network includes a Mobile Network Country Code and wherein said recognizing step further comprises recognizing the target language from the receipt of the Mobile Network Country Code in the network signal. (The received message is not translated into the native language when it is judged that the native language is used in the received message. The first step may be executed by comparing an area code and country code in the received message with an area code and country code held by the receiver. Col. 2 lines 52-58)

**Claim 12.** Aoshima teach the communications device (Fig.2 radio selective caller receiver 10) according to claim 11, further comprising a memory, wherein at least one value

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associated with the Mobile Network Country Code (**native language country code memory (fifth memory) 26**) and at least one value associated with the base language (**home country/area code memory (fourth memory) 25**) are stored in said memory, wherein the values associated with the Mobile Network Country Code identify target languages. **(The received message is not translated into the native language when it is judged that the native language is used in the received message. The first step may be executed by comparing an area code and country code in the received message with an area code and country code held by the receiver. Col. 2 lines 52-58)**

**Claim 13.** Aoshima and Levine teach, the communications device according to claim 9, Aoshima further discloses, wherein the target language is a primary language that is spoken in a first country and the base language is a primary language that is spoken in a second country, wherein the network is located in the first country. **(Fig. 3 “Is transmission station received message local transmission station or non-local transmission station?” Step 105; Also Col. Col. 7 lines 1-9)**

**Claim 14.** Aoshima teaches, the communications device according to claim 9, wherein said processor is further programmed to signal the network through said transceiver that the target language does not match the base language. **(Fig. 3, If the language is in a non-native language the message gets translated, but if the message is in the native language it gets displayed and receiving stops, network won't send)**

**Claim 15.** Aoshima and Levine teach, the communications device according to claim 9, Aoshima does not explicitly teach, wherein the network selectively transfers to said

communications device the translational dictionary unless the network has previously transferred the translational dictionary to said communications device.

In the same field of endeavor, Levin teaches, **"If the user has not previously used or stored a dictionary, or if the previously used or stored dictionary is determined not to be appropriate as at step 136, the context of the inputted text is analyzed, as at step 138. Based on the contextual analysis of the text to be translated, the system of the present invention checks the dictionary database to determine whether there is an appropriate domain or sub-domain dictionary for the given core language pair and for the context determined to best suit the translation goal of the user, as at 140. If so, the dictionary is selected as at 142 and deployed as at 150, before the translated text is ultimately transferred as at 152 in accordance with the user's original request. Col. 14 lines 39-52)**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to selectively transfer to the communications device a translational dictionary of the target language if the target language does not match the base language as taught by Levin in the method of Aoshima because transferring only needed dictionaries to a communication device saves memory space and the ability to transfer new dictionaries to a communication device allows for a large array of translation dictionaries to exist for user advantage.

*Response to Arguments*

6. Applicant's arguments filed 10/15/07 have been fully considered but they are not persuasive. As per applicant's arguments with respect to the newly amended claim language, examiner notes the recited portions to the Aoshima reference that teaches synchronization information exchange between the network and the communication device.

*Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**MICHAEL OPSASNICK**  
**PRIMARY EXAMINER**

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12/16/07

